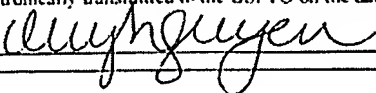


I hereby certify that this correspondence is being electronically transmitted to the USPTO on the date shown below.

Date: May 2, 2008

Signature: _____

 (Quyen B. Nguyen)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/734,562
Confirmation No.: 2406
Filing Date: December 12, 2003
Inventor(s): Ken MICHLITSCH et al.
Title: APPARATUS AND METHODS FOR FORMING AND
SECURING GASTROINTESTINAL TISSUE FOLDS
Examiner: Dornbusch, Dianne
Group Art Unit: 3773

**PRELIMINARY AMENDMENT AND
RESPONSE TO RESTRICTION REQUIREMENT**

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is in response to the restriction requirement set forth in the Office Action mailed April 2, 2008, in the above-identified United States Patent Application.

Claims 1-49 were presented for examination at filing. A Requirement for Restriction was issued, identifying patentably distinct inventions in two groups of claims. Please cancel claims 1-20 without prejudice. In response, please amend the application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks begin on page 8 of this paper.